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# ALLEGEDGER

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## Grades Due Thirty Days After Exam

by Sheryl Serreze

Professors at B.C.L.S. are expected to have final grades filed with Mr. Pepper 30 days after the final exam for a course is conducted. An informal poll reveals that Mr. Pepper is lucky if 20% of the professors do so. Although no formal action is taken when grades are delinquent, the professors are reminded by phone of their tardiness.

Since everything must be submitted to the Law School records office before the University can issue any transcripts or reports, (except for 1st yr. midterms) it is surprising that there isn't a stricter policy regarding the reporting of grades. Although students who have a justifiable claim to their grade early can induce the professors to correct their exams early (such as a federal scholarship holders and ULL students), most students must simply wait for their transcripts. Even in the case of graduating 3rd years, who are supposed to have their final grades five days after the exam, some trouble has been encountered getting those grades.

Why all the trouble getting grades in on time? After speaking with several professors, it would appear that there are several factors which make it difficult to grade all the exams within 30 days of the date they are given:

1. Large classes: Prof. Baron's evidence class was approximately 170 people this semester.

2. Essay-style exams: since essay exams appear to be the fairest method of testing legal knowledge, they are the most common style exam given. Naturally, they also take the longest to correct, and professors prefer to read them all themselves.

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## Admissions Office Proceeds with Caution

### Survey Indicates Problem Areas

by Margaret Jiampietro

Admission officials, aided by the results of a questionnaire answered by the Class of 1985, are proceeding with caution in wake of the unanticipated over-enrollment in this year's first year class.

Although aiming for an entering class of about 265 students, the admissions office received over 400 paid deposits by June, and while there was some attrition over the summer, many were in the form of deferrals. Consequently, about 60 students are already admitted to the 1983 first year class.

A questionnaire was administered to the first-year students last September in an attempt to understand why an excess occurred. 321 of the 329 students enrolled responded.

Since this was the first-year such a survey was taken, no definitive conclusions could be drawn to explain the over-enrollment. However, the results indicate that caution should be taken in future admission procedures.

The questionnaire elicited responses about three general areas including: (1) background information on where respondents did their undergraduate work; (2) reasons for deciding to go to law school; and (3) primary factors in choosing to attend Boston College.

After analyzing the results of the survey, Director of Admission Louise Clark and Professor Robert Berry, member and last year's co-chairperson of the Admissions Committee offered some possible reasons for the over-enrollment. They also explained changes in the selection process of the 1983 entering class instituted to avoid a

repetition of this year's surplus.

Berry highlighted the fact that Boston College had an unexpectedly high yield of acceptances from those students who were also invited to attend the school's main competitors, notably Boston University. 186 students, some 58% of the first-year class, applied to Boston University. Of that number, 140, approximately 44%, were admitted to Boston University but chose to attend Boston College.

A possible explanation for this result according to Berry could be the high visibility that Boston College has gained in New England, and which is increasing in other parts of the country. 21% of the respondents pointed to the reputation of the school as the predominant reason for offending Boston college.

The survey results indicate that the school receives much positive reinforcement, not only from its own alumni, but from the legal profession at large. Lawyer acquaintances were the

most influential in persuading students to attend Boston College.

"This is heartening," commented Berry. "People in the legal profession, at least a significant number in some locales, regard Boston College very highly. And it is not just our own graduates as confirmed by the difference between the 49.5% figure for lawyer acquaintance(s) as compared to the 30% figure for alumni." Berry views these statistics as "an asset we should be glad to have and endeavor to enhance."

In reviewing the figures Clark adds, "Perhaps we have been under-estimating how people perceive us. We knew we were good, but we did not see the extent of our reputation nationwide."

Clark was surprised that applicants are intensely consumer-conscious. "It amazed us that students canvassed lawyers and judges" seeking out their

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### Selected Results from the Survey of First Year Students

Reasons for Going to Law School	Total	Percent
1.) Law degree offers great flexibility.	260	81
2.) Long intended to be a lawyer.	199	62
3.) Economy—alternatives less attractive.	60	19
4.) Financial aid available this year.	18	6
Persons Influential in Choice of B.C.		
1.) Lawyer acquaintance(s)	159	50
2.) Law school students	131	41
3.) Parents/relatives	98	31
4.) BCLaw alumni	97	30
5.) Undergrad faculty	58	18
6.) Pre-law advisor(s)	54	17
7.) Other student(s)	51	16
Engaged in Another Profession Before Law School	96	30
Decision to Attend Law School Made in Past Year	72	22

## The Flavor of Haymarket Shopping

by Barbara Cardone

Though B.C. Law School claims a diverse student body, most of its members share at least one common problem: a limited budget. One's weekly food bill is, most likely, a very large part of that rather small figure, and it can be a difficult item to maintain, much less to "trim down," without resulting in substantial deprivation of nutrition, variety, and taste.

If you can spare a Saturday morning or afternoon, and you enjoy shopping in a farmer's market, Haymarket Square is worth your time. Located off Atlantic Ave., right next to Quincy Market, the Haymarket is most accessible by the Green Line T stop that bears its name. Fresh fruits, vegetables, breads, meats, cheeses, eggs, and seafood are available year round at prices substantially lower than those offered by the large supermarket chains.

Prices and quantity vary seasonally, sometimes weekly, but even during the off-season, the Haymarket has a wide selection of fresh fruits and vegetables. Some sample items and prices from the last few weeks: Iceberg lettuce - 3

heads/\$1.00; Boston lettuce - 4 heads/\$1.00; cucumbers - 9/\$1.00; tomatoes - 3 lbs./\$1.00; carrots - 20¢/lb.; celery - 35¢/bunch; cabbage - 15¢/lb.; mushrooms - 99¢/lb.; onions - 20¢/lb.; bananas - 5 lbs./\$1.00; grapes (red or white) - 4 lbs./\$1.00; grapefruit - 6/\$1.00; golden delicious apples - 5 lbs./\$1.00; snow peas (in the pods) 3 lbs./\$1.00; lemons - 5/39¢; navel oranges - 8/\$1.00.

The three or four cheese shops stock a variety of domestic and imported cheeses at rather consistent prices. A few of the selections: Feta - \$1.89/lb.; Jarlsberg - \$2.99/lb.; Brie - \$2.00/lb.; Wisconsin cheddar - \$1.99/lb.; Imported Parmesan - \$4.39/lb.

Fresh meat, poultry, and eggs are always available; comparative shopping is the best way of assuring yourself of the best quality for the price.

Seafood is the most inconsistently supplied item in the market. During the warmer months, you can count on ample selections of reasonably priced fresh fish fillets, shellfish, and live lobster (last selling for \$2.99/lb.). Haymarket is an excellent place to pick up fresh seafood for a Saturday night

dinner during the summer, but don't count on the availability of your first choice in February.

French bread, Italian bread, pastry, and the freshest pita in Boston (3 bags of 4 loaves each/\$1.00) can be purchased at the bakery in the market. If you suddenly find yourself hungry amongst all that food, hot pizza by the slice is available at the market's pizza stand. Candy and nuts of several varieties are also available at the market.

Some shopping tips for prospective market patrons:

1. Choose carefully the time that you prefer to shop. The best selections are available earlier in the day, but if you go when the market is ready to close, just before dark, you may get even further price reductions as vendors try to clear their shelves.
2. Bring backpacks, heavy shopping bags, and (if possible) an extra person along if you really plan to do the week's shopping. Limited parking is available near Atlantic Ave., but you may still have quite a walk to your car.
3. If you can afford the time, look around before you buy. Prices and quality vary throughout the market.

Get an idea of what is available before making your purchases.

4. Make sure that you know what you are getting. Some vendors let you choose the exact head of lettuce or cut of meat that you wish to purchase; others have a set display up front and the supply from which they sell behind the counter. If you buy from the latter (and sometimes it is unavoidable) they may try to mix in a few items of lower quality with those of the quality of the display. If possible, always try to get a look at what the vendor is putting into your bag. Even if you do end up with one or two "inedibles," Haymarket prices are sufficiently low that the remainder still have cost you less than the average supermarket rate.
5. Bring plenty of quarters and dollar bills. All of the vendors will make change, but these are the most convenient denominations to have for quick transactions at a crowded produce stand.
6. Enjoy the atmosphere and have a good time. The Haymarket is often crowded, but if you like to people-watch while you shop, it's the best show in town!



# Admissions

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ratings of Boston College. Many students commented in the survey that they had panels of lawyers, judges, and even a dean of another school rate the schools to which the applicants were accepted. Evidentially, Boston College ranked high on the lists.

Another possible explanation for the unexpected high yield of acceptances is the reputation the school has gained for its relaxed and supportive atmosphere. 16% of the respondents cited the school's known friendly environment as the predominant reason for choosing to attend Boston College.

One student commented, "Almost every law-related person I spoke with told me that B.C. was a very relaxed place to attend law school compared with most schools. B.U. law graduates urged me to attend B.C. if I was fortunate enough to have the choice. B.C. law graduates could not say enough wonderful things about B.C. law."

Another factor cited for the over-enrollment is the state of the economy. 19% of the students surveyed decided to go to law school because the economy makes other alternatives less attractive. 22% of the entering class decided to attend law school within the past year and 30% of the entering class indicated they were engaged in another occupation.

The largest profession abandoned was education. 23 students were school teachers, mainly at the elementary and secondary levels. Other professions mentioned prominently were business/banking - 18; paralegal - 11; insurance/real estate - 8; writing/publishing - 8; medical service - 7; government/public service - 6; and accounting - 5.

Clark pointed out that the uncertain future of the Guaranteed Student Loan program may have prompted students to enter law school now in order to take advantage of the financial aid while it is still available.

The final reason for the surplus of students is that more students were accepted to the 1982 entering class than in the previous year. However, Berry emphasized that the slight over-acceptance of applicants did not account for the entire increase in student population.

The final step taken to prevent an over-enrollment is the installation of a new pre-payment program. The initial deposit due in April is now supplemented by a second deposit of \$400 payable by June 1.

# Grades

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3. One exam to test an entire semester of classes: the exams cannot be too short, since they must cover a wide range of topics.

4. Professors' outside obligations: Professors often write for outside publications, give lectures, and participate in other outside legal activities, besides having to teach their next semester courses.

In sum, 30 days (often sparing the holiday season) often isn't enough time to correct hundreds of essay exams. Putting in post-cards seems to be the fastest means of getting grades, as transcripts aren't issued until all grades are submitted.

## Commentary:

# Soviet Proposals: Arms Control?

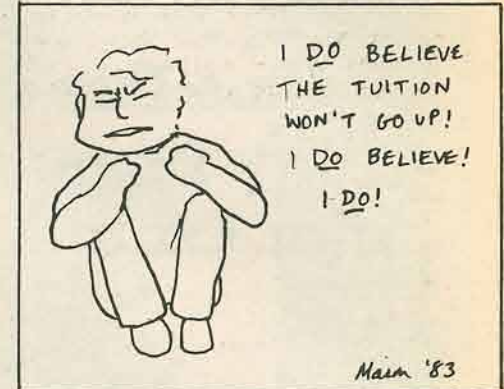
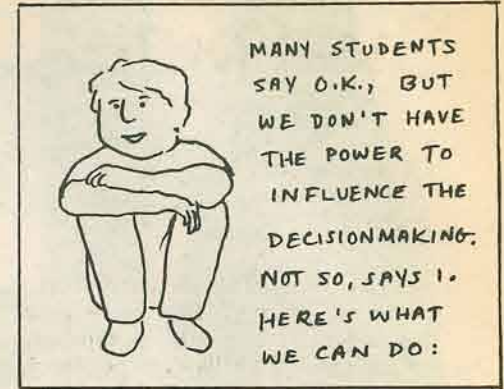
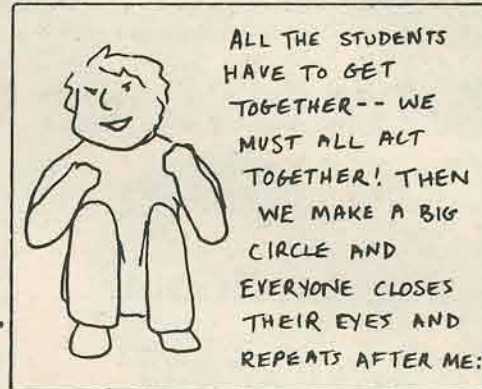
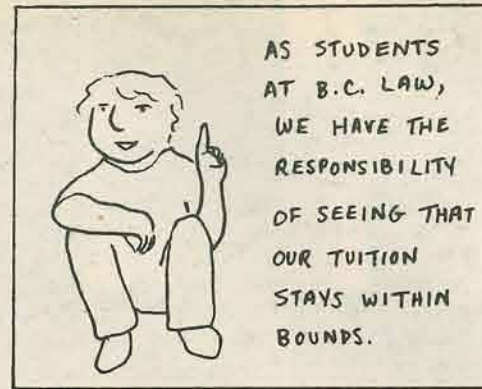
by Robert J. Abalos

Every person in frequent touch with the media is tired hearing of the arms race and the vast destructive capabilities of thermonuclear weapons. It is clear America and the world is demanding immediate action on this problem and the United States, through its START talks and the personal initiatives of Ronald Reagan, is not moving fast enough. In response, many in the U.S. and Western Europe have begun to look to the other major nuclear protagonist, the Soviet Union, to take the lead in arms control. To the Greens of West Germany, the neutralist factions of the British Labour Party and many supporters of the nuclear freeze issue in the U.S., the Soviets already have.

Indeed, the rhetoric of Mr. Andropov and his predecessor has been extremely frank in a desire for sheathing the nuclear Damoclesian sword and it is easy to understand why so many intelligent people have come to accept this talk as reality. To desperate individuals hope can sometimes outweigh logic. Yet the true question does remain: is Mr. Andropov sincere in his desire for peace or is he just talking? An examination of the latest Soviet peace proposals in the context of forty years of cold war propaganda reveal the Soviets may have something more on their minds than arms control.

An example to illustrate my point. The latest major Soviet peace barrage in the continuing war came in early January at the Warsaw Pact meeting in Prague. On January 5, a long "Political Declaration" was published which dealt with Soviet solutions to all the world's military problems, from the Middle East to the Falklands. At the core of the proposal was a series of suggestions to reduce the chance of conventional and limited nuclear war in Europe and decreasing the rapid growth of strategic nuclear weapons. To the new observer of Soviet propaganda, the proposal would look much like a welcome revelation of peaceful intentions by a formerly bellicose nation realizing the insanity of nuclear war. To the experienced observer, however, the proposal was a group of familiar suggestions, some exclusively Soviet creations and others as old as time itself, but all not leading the superpowers one step closer to agreement.

One of the Prague proposals was "talks on naval disarmament, limits on the deployment of warships and naval confidence-building measures should be started." Assume that these talks yield an agreement both East and West can sign, an optimistic assumption if there ever was one. Treaties for naval limitations have never worked in the past for a variety of reasons, primarily the lack of enforcement if the treaty is violated. Would a new U.S.-U.S.S.R. naval limitation treaty succeed where others have failed? The Washington



Limitations on Naval Conference Treaty of 1925 and the London Naval Reduction Treaty of 1930 failed to keep the U.S., Britain, France, Italy and Japan out of World War II even though all signed both treaties. Why can we assume differently now?

Another suggestion is that the "NATO and Warsaw Pact should agree on measures to limit military spending." This is truly an admirable goal considering the tremendous strain excessive military spending has had on both groups, yet there isn't much chance of an agreement on such a limit. In the fairyland of official Soviet statistics, the Russians claim to spend about 3% of their gross national product on the military, but a simple count of the number of weapons systems and troops deployed in Europe and Asia suggest that the true figure must be in the 13-16% range that most non-communist analysts now agree on. (The NATO average, incidentally, is about 4% of GNP.) Assuming East and West can agree to a percentage somewhere between four and sixteen percent, how could the Soviets continue to support their substantially larger war machine on considerably less money? Within the next five years, some 50,000 Soviet tanks and 2,700 fighter-bombers will need replacement. How would a military spending limit permit growth and replacement simultaneously? Based on past experience with Soviet negotiations, the Russians will insist on the accuracy of the "official" 3% measure and the talks will go nowhere. The Vienna negotiations on non-nuclear arms cuts provide an analogous example. These talks have gone around in circles for almost ten years primarily because the Russians claim to have fewer troops in Eastern Europe than the West is more or less certain they have. Why can we assume they will behave differently here?

The Prague declaration also called for "NATO and the Warsaw Pact (to) sign a treaty renouncing the use of force against each other." NATO and the Warsaw Pact have already promised not to attack each other in the United Nations charter and in the Helsinki Agreement of 1975. Would another treaty make the promise any stronger? The declaration also calls that "all nuclear powers should promise not to use their nuclear weapons before another power has done so," the so-called "first use" proposal. How does one nation protest to another nation when the treaty has been violated, except by retaliation with nuclear weapons? This idea is as naive as the Kellogg-Briand Peace Pact of 1928, where 62 nations humbly agreed to condemn the use of war as an instrument of national policy. Peace proposals are not based on redundancy or naivete as these are.

And so the Prague declaration goes, with suggestions ranging from the ridiculous (the dismantling of foreign military bases) to the interesting (the

ubiquitous nuclear freeze question). However sarcastic my treatment of the proposal, nothing matches the sarcasm of the proposal itself. This document is not an instrument of peace. It is simply a new form of military offensive, a variation on the same propagandistic idea mounted many times by the Soviets since 1945 at moments when their chief aim is to take advantage of their adversaries' weakness. Western Europe is severely divided on the peace issue and Soviet peace proposals (as do U.S. proposals) only fuel the fragmentation. The timing of the Prague declaration was uncanny, two days before the West German president, Karl Carstens, announced the holding of a midterm election in his country on March 6. This election may give the pro-Soviet Greens the balance of power in Germany, placing pro-American goals on all issues, not just nuclear reduction, on the chopping block. It would not be incorrect to conclude that the Prague declaration had a strong influence on Mr. Carsten's decision. Should this type of politicking be the purpose of a peace proposal?

The mood in the U.S. and Europe, however, should be optimistic. As long as peace proposals fly from East to West and vice versa, it is likely bullets will not. If Mr. Andropov's large scale initiatives are to be taken seriously, maybe he would agree to some of the more realistic suggestions of the Prague proposal. For example, the document calls for the elimination of all chemical weapons. While everyone claims to abominate chemical weapons, the Soviets and their allies are using them in Afghanistan and Kampuchea and the U.S. is preparing to build stockpiles of nerve gas and other chemical toxins. If the Soviets truly loathe such weapons, let them propose a realistic means of preventing their use. One simple solution would be to forbid the issue of gas masks and protective clothing to troops on both sides of the Iron Curtain. This option is easily verifiable and no general would use chemicals that would expose his troops to the same dangers as his opponents.

In late January, Vice President George Bush began a tour of Europe to placate the pro-American elements there on the issue of American commitment to arms control. His proposal, highlighted with a personal letter from President Reagan, called for a Soviet-American agreement to ban intermediate range ballistic missiles from "the face of the earth." (Mr. Reagan's words.) This is simply a rewording of the "zero option" rejected by the Russians many times in many other different formulations. The theatrics continue with regard to arms control. The Soviet salvo has been met with an American one. The politics continue. And still the world waits for peace.

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# The Secret Life of . . .

Laura Scott

by Barbara M. Epstein

Third year student Laura Scott keeps herself in peak condition by dancing. This is no ordinary kind of dancing, though, and it is not likely to be seen at your favorite night spot or party. In fact, you may never have seen it at all, for it is usually performed only at special events or at competitions. Laura performs, teaches, and judges Scottish Highland dancing, a rigorous series of dances.

Laura's interest was sparked when her mother enrolled her, at the age of six, in a course given at a local Scottish-oriented college. From then on Laura pursued lessons, her teacher regularly traveling here from Ohio, and before competitions Laura would travel to the teacher's home for one week to train. When she was sixteen, she qualified to travel to Scotland and compete in the Highlands dances. After college Laura studied Highland dancing with her teacher in California. Her competitions took her throughout New England and sometimes to Canada.

Laura stopped competing the summer before law school and took - and passed - the exam to be a judge. Once a judge, she could no longer compete. The test was in three parts: an oral exam; a written exam; and a mock judging in which dancers made planned errors, and the aspiring judges' scores were measured against those of the veteran judges.

Although Laura receives a fee for judging, it clearly is not a major source of income. It does involve a free trip, though (usually not longer than for twenty-four hours, however); Laura has travelled to Philadelphia, a few small towns in North Carolina, and will be going to Chicago in September.

And what exactly is Highland dancing? A few images might come to mind: a whirl of kilts, intricate steps, the sound of bagpipes. Although these are accurate, they do not adequately reflect the ritualized nature of this group of demanding and stylized dances.

First of all, they must be distinguished from Country dances, much akin to our "square dancing;" that is, the Country dances are group social dances in sets, but with more intricate steps and footwork than in the American square dances.

Highland dances are often done "solo," and they are more disciplined than the Country dances. As in ballet, there is much emphasis on body control and on rules about form and steps. In fact, the rules for the dances are set in Scotland by the Scottish Board of Highland Dancing. Some Highland dances are: the Highland Reel; the Highland Fling (a vigorous, jubilant dance); Seann Truibhas (Gaelic: "Shon Truse" - a more graceful dance); and the Sword Dance, very masculine and military.

Originally, women did not perform the Scottish dances, so their present dress is an adaptation of traditional men's garb. Women used to wear a full tartan cotton skirt and a white blouse in national dances (not mentioned above) and still do wear this outfit in some of the dances. Now the costume is usually a tartan kilt, wool tartan hose, a velvet fitted jacket, lace at the sleeve cuffs, and a lace neckpiece. The shoes are soft leather, similar to ballet slippers. The men's costume is basically the same, except that they wear a cap and a slightly different jacket.

Laura's knowledgeable discussion evoked the beauty and the energy displayed in these dances. A touch of old-world charm was mingled with the coffee in the snack bar.

## Advice to Lovers from the Mass. Reports

by S. K. Taylor

As the first occasion for this series falls on Valentine's day, advice to those contemplating marriage or a serious relationship of some sort seemed an obvious starting point. Of course the reader will ask if law school is incompatible with such plans. Surprisingly, a poll of the third year class would find the answer is in the negative for many of us.

Breach of Marriage Promise cases are full of things lovers should avoid if they wish to retain the affection and good will of their loved ones. The acts complained of show a variety of things no longer considered important. Collectively they all share the common element of having turned romance into litigiousness.

A discerning reader of these cases would learn, as did a Mr. John Riley when sued by Miss Bridget Kelley, that it isn't wise to promise marriage to a woman and get her pregnant, while you are married to another. *Kelly v. Riley* 106 Mass. 339 (1971). Even if claiming to be single worked once, it may not work again with the same woman. Mr. Lalumiere learned this to his undoubted dismay from Miss Thibeault's lawyer. *Thibeault v. Lalumiere* 318 Mass. 72 (1945).

A careless tongue frequently leads the loving couple to a courtroom. A refusal to marry a woman he had seduced and impregnated, because she was "lewd and unchaste" and degraded by her condition, brought Ezra Kellogg into court. *Boynton v. Kellogg* 3 Mass. 189 (1807). Likewise, do not agree to marry while you are under guardianship and ineligible to do so. Mr. John Lloyd made this error, but

passed the buck to his brother Demarest by dying before Miss Sullivan sued. *Sullivan v. Lloyd* 221 Mass. 108 (1915).

Family can frequently be a problem. As Dora Hook would verify were she still living, one shouldn't call your beloved's teenaged daughter "very low and opprobrious names." *Hook v. George* 100 Mass. 331 (1868). It is not a good idea, as Sara Sherman discovered, to allow your brother to keep a bawdy house. And it is especially dangerous to marital plans to frequent such a house if your brother refuses to get out of that business. *Sherman v. Rawson* 102 Mass. 395 (1869). Even a mother can convert a lover's suit to a lawyer's suit when she insists that her daughter entertain their lodgers in her bedroom. See *Colburn v. Marble* 196 Mass. 376 (1907).

Mrs. Van Heuten's slips of the tongue concerning her divorce and her family were the direct cause of her suit against Asa Morse. Mr. Morse breached upon learning that his fiancée had not divorced her ex for cruelty, as she had claimed. He had divorced her for "being a woman of violent and ungovernable temper and of jealous and revengeful disposition," as well as "assaulting him with a carving knife." This untruth, along with a few tiny ones about her parents, turned Mr. Morse against the contemplated marriage. *Van Houten v. Morse* 162 Mass. 414 (1894).

Each of these examples of behavior likely to alienate the object of your affection may or may not be instructive to those planning a permanent relationship. The lesson of *Tilley v. Damon* 65 Mass. 247 (1853), however, will apply in all circumstances. Do not do what Andrew Damon claimed Jane Tilley did and obtain a promise to marry by "duress and false imprisonment." Such a promise is sure to be broken as soon as possible.

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